

**ENTERED**

November 05, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA | § |                                   |
|                          | § |                                   |
| VS.                      | § | CRIMINAL ACTION NO. 5:11-CR-425-2 |
|                          | § |                                   |
| CRISTOBAL CERVANTES      | § |                                   |


**ORDER**

Pending before the Court is Defendant's motion for sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) (Dkt. No. 472). Defendant has previously filed similar motions (*see* Dkt. Nos. 360, 431, 460), which were denied without prejudice due to Defendant's prison behavioral record (*see* Dkt. Nos. 362, 434, 469). In its most recent denial, the Court advised Defendant that it would consider a renewed motion for sentence reduction if Defendant's behavior "markedly improve[d]" (Dkt. No. 469). However, Defendant has continued to misbehave in prison. In October 2021, Defendant admitted to possessing opioids, which were discovered in his personal belongings.

Having weighed the factors articulated in 18 U.S.C. § 3553(a), the Court again concludes that a sentence reduction is unwarranted in this case, and Defendant's motion (Dkt. No. 472) is **DENIED**.

It is so **ORDERED**.

**SIGNED** November 5, 2021.

  
Marina Garcia Marmolejo  
United States District Judge